

HISTORIC PRESERVATION COMMISSION

Minutes

April 10, 2008
Salisbury, North Carolina

The Historic Preservation Commission for the City of Salisbury met in regular session on Thursday, April 10th in the Council Chambers at the City Hall, 217 S. Main Street.

The meeting was called to order by the Chairperson, Anne Lyles.

The following members were present and introduced: Jack Errante, Susan Hurt, Deborah Johnson Judy Kandl, Andrew Pitner, Kathy Walters, Anne Waters.

Absent: Ronald Fleming

Requests for Certificates of Appropriateness

H-04-08 722 S. Fulton St. – Capri & Shaun Brixey, owner

Request: (1) Four (4) black outdoor ceiling fans on front porch.

(2) Solid wood operating shutters on front and right side of home; painted black.

(3) Patio and walkway in rear yard of red/tan pavers (Oldcastle Countryside paver in sand/tan from Lowes).

Wendy Spry informed the Commission that an accessory building has been installed on the property so would be added to the agenda for approval.

Capri & Shaun Brixey were sworn to give testimony for the requests.

Staff presented slides as Mr. Brixey gave testimony for the proposed items, including the accessory building. He testified that the 10' x 10' building from Lowe's has been placed 2 ft. off the property line, and will be painted to match the house.

In response to a question from Andrew Pitner who asked how much drop the fans would have, Mrs. Brixey said they would not have any extension.

Jack Errante asked if there was any evidence that there had ever been shutters on the house. Mr. Brixey said they have been told that there had been but they had no pictures to show that.

Judy Kandl voiced her concern that the proposed shutters were solid rather than louver as are most shutters in the historic districts. Mr. Brixey stated that the house across the street from theirs also had the solid style shutters. However, Ms. Kandl noted that the style of the house was different, and said too that the shutters may not have been original to the house.

Kathy Walters stated that she agreed that the shutters would probably look better if louvered but the guidelines say only that they be historically appropriate, sized to the window opening, and be operable.

In response to a question from Judy Kandl, Mr. Brixey explained in detail how the fans would be installed.

In response to a question from Jack Errante, Mrs. Brixey stated that the location for the proposed walkway is currently a grassed area. She said there would be a patio with walkway to the gate. Mr. Brixey testified that it would consume 15-20% of the yard space.

Mr. Brixey stated that they did not have a sample of the pavers that would be laid for the patio and walkway.

Judy Kandl informed Mr. Brixey that it is hard to make a decision pertaining to color when it is only described in word. She said, "So, it would probably be good to see what it looks like."

Kathy Walters asked if the paver could be approved through a minor works decision. Janet Gapen stated that the paver could be approved in that manner.

Dr. Gordon Senter was sworn to speak in support of the request. There was no one present to speak in opposition.

Prior to the motion, Susan Hurt led the Commission into further deliberation about the proposed shutters by asking if solid panel shutters were appropriate for the 1905 period of the house.

Judy Kandl stated that shutters are not limited to certain periods of time.

Anne Waters, Anne Lyles, and Kathy Walters agreed that the style of shutters could be just a matter of taste of the individual.

In reference to Jack Errante who asked Mr. Brixey his reasons for choosing the solid shutter, he said because it was an easier maintenance product than the louver and he liked the looks of the solid better.

"A matter of taste," Anne Lyles said.

Kathy Walters made the following motion: "I move that the Commission find the following facts concerning Application #H-04-08 – that Capri & Shaun Brixey, owners of 722 S. Fulton St. appeared before the Commission and sought a Certificate of Appropriateness to install 4 black wood ceiling fans on the front porch, install black wooden solid panel operating shutters on the front and side windows of the home, install Oldcastle Countryside tan pavers in tan sand for a patio and walkway in the rear yard and add a wooden 10'x10' accessory structure, painted to match the house; that Dr. Gordon Senter appeared before the Commission to support this request; this request should be granted based on The Secretary of Interior Standards for Rehabilitation and Chapter 2 Changes to Buildings – Windows and Doors, pages 16-19, guidelines 2 and 6; Chapter 4 Site Features and District Settings – Lighting, pages 54-55, guidelines 1,2, and 9; Chapter 4 Site Features and District Settings – Landscaping, pages 6-63, guidelines 3,4, and 6; and Chapter 2 Changes to Buildings – Utilities and Energy Retrofit, guideline 11 of the Residential Historic District Design Guidelines; therefore, I further move that

a Certificate of Appropriateness be granted to Capri & Shaun Brixey, owners of 722 S. Fulton St., as amended, to make the changes detailed in the application with the following change agreed to by the applicants: Sample of the paver material will be presented to the staff and put forth for minor works approval.”

Anne Waters seconded the motion. Commission members Susan Hurt and Judy Kandl voted NO because of their concerns of the shutter style; all other members present voted AYE.

H-05-08 101 S. Main St. – Ted & Cheryl Goins, owner

Request: Exterior and interior renovations including repairing and repainting existing windows, and new storefront entry.

Gray Stout & Michael Lippard were sworn to give testimony for the request.

Gray Stout informed the Commission that the project is a tax credit project.

Staff presented slides as Gray Stout described the proposal.

A sample was presented of the new black synthetic terra cotta tile roof which Gray Stout described as being lightweight. The mansard roof will be repaired and reconstructed, and new wood brackets will match the existing brackets.

He testified that the windows on both levels of the front of the building would be repaired or repainted and reglazed, or both. On the East Innes St. side of the building, 1 window is bricked up and will be reopened, another will be restored and repaired, and the existing doors will remain. He pointed out the location for the installation of a new window. An existing awning is to be removed. An existing coal vent will become a useable vent for some pottery activity that will be going on in the basement.

He further testified that the material for the storefront would be wood with simulated leaded glass at the top, and 4 x 4 black ceramic tiles at the base of the storefront with black brass.

Mike Lippard and Gray Stout informed the Commission of an option recommended by Diane Young that will have the appearance of a leaded glass transom, but has a leaded tape that is applied to the inside and outside of the glass, along with a spacer bar. The system has been approved by the National Park Service. Gray Stout said, “It is more affordable than doing real leaded glass back.” A brochure was presented.

Referring Commission members to the proposed front elevations, Gray Stout stated that the 2 entry doors - 8 ft. tall, 3 ft. wide, would be stained and the rest of the storefront would be painted. The 6” lettering that will be applied to the existing brickwork will be gold, and the front and side gooseneck light fixtures will be painted black.

Continuing to the rear elevations, Gray Stout stated an old loading dock and a pair of existing doors will be repaired and repainted. He said all the existing windows would remain except a corner window that will be filled in with glass blocks for the installation of a shower.

The downspouts, he said, would be repaired and repainted. A sample of the paint color for all trim work was submitted.

In response to a question from Judy Kandl, Gray Stout stated that the windows would be wood, double-hung, operable, and will match the existing. He said all the windows that are boarded up are intact and would just need to be uncovered.

Cheryl Goins was sworn to give testimony in reference to questions from Judy Kandl in reference to existing doors on the back of the building.

Ms. Goins testified that one of the existing doors has been located inside the building. She said it has a transom at the top, and the other side is bricked up.

Gray Stout informed the Commission that if the other door is not found they could use the one as a pattern to make the other one. He said they would use the door with transom vs. the one on the drawing because it would be keeping with what was there. He further stated that the bars from the windows on the back would be removed.

In reference to a question from Jack Errante, Gray Stout stated that existing bathroom window on the Innes St. side of the building that is to be removed for the installation of a shower is an original window.

In response to questions concerning the extra space that appears on the drawing to be left after the placement of the *Pottery 101* sign, Mr. Stout explained the proposal for the sign. He said the brick would be removed up to the location for the sign and the glass would go all the way up to the ceiling. He said it appears to be a discrepancy in the drawing because there is actually less space between the window sill and the top of the transom than is shown in the drawing.

Following questions in reference to the proposed roofing material, Sheryl Goins and Gray Stout both testified that Paul Fomberg recommended it because of their concerns with the weight of terra cotta. Gray Stout said it is an alternative to real terra cotta. Janet Gapen and Wendy Spry both stated that they were not aware of anywhere in either district that the material had been used.

Randy Hemann was sworn in to give testimony for the request.

Mr. Hemann stated that he loves and supports the proposed design. He said, "If Paul Fomberg has recommended the material, I guarantee you that it has been approved in other places." He said if there had been original material anywhere, then Mr. Fomberg would have said it needed to be matched and continued, but since none was found the more modern material suffices.

There was no one present to speak in opposition.

Deliberation

Judy Kandl voiced her concerns with the following issues:

- Metal substitute for terra cotta tile: *the guidelines state that substitute material be the same as what is being replaced.*
- Lead tape for the lead glass windows: *tape does not have the same texture or the same release as glass does; it is a contemporary less expensive equivalent to glass.*
- Scale and size of the small tiles proposed for placement underneath the storefront windows: *the guidelines state that most of the storefront bottoms are wood.*
- Roofing color – black: *Not a look-a-like for terra cotta tile.*

Kathy Walters stated that her greatest concern is the lead tape; especially without seeing it. She said she would also like to know about the durability.

In explaining to the Commission members the reason for the lead tape on the windows, Cheryl Goins explained that she wanted to give a nod to the fact that the windows had previously been prism glass. She stated that replacing with plain glass, as a lot of the downtown buildings now have, would have taken away from the character of the building. She further stated that the reason for the small tile under the windows was to go along with the square panes over the windows.

Susan Hurt stated they really needed to see it even though it still may not be o.k. Deborah Johnson agreed.

At this point, Gray Stout stated that they would alter the application and use solid glass.

Janet Gapen informed the Commission that projects which have approval from the State Historic Preservation Office (SHPO) can be approved through the minor works process. She said if the request is changed as indicated by Gray Stout, the tape could be approved through the minor works process as soon SHPO's approval is given.

Janet Gapen further informed the Commission that if they felt more information was needed for the synthetic tiles then staff could get that and bring back to the next meeting.

Andrew Pitner stated that his concern was about the color.

Gray Stout explained that his recommendation for the synthetic tile came from SHPO. He said if Paul Fomberg recommends it then the National Park Service would approve it. He said research had been done on various materials. Anne Lyles agreed and stated that Paul Fomberg would not recommend something that he questions. She said, "He is an expert." In response to her question to Gray Stout, he stated that Paul Fomberg did approve the synthetic material.

Kathy Walters read the guideline #4 from the Roof guidelines which states: *Substitute materials must have a demonstrative record of overall quality and durability.* She said, "We don't have that."

Gray Stout informed the Commission that the owner would like to remove the request for the metal and that the upper mansard be left as is.

Anne Lyles asked for a motion stating that that would at least give a go-ahead for some of the requests, while the other would be subject to approval by SHPO.

In response to Judy Kandl's suggestion of having individual voting for each area of the application, Janet Gapen said, "I do not recommend separate motions and approvals on the individual pieces of the project."

Susan Hurt made the motion as follows: "I move that the Commission find the following facts concerning Application #H-05-08 – that Ted & Sheryl Goins, owners of 101 S. Main St., appeared with their architects, Gray Stout Architects, and sought a Certificate of Appropriateness to do exterior and interior renovations, including repairing, repainting and replacing existing windows, replacing one window on the rear elevation with glass brick, to repair a back door, to retain the existing transom, and to use the half of the door that is present as the pattern if necessary for building the 2nd half of the back door, and for the new storefront entry – consistent with plans submitted with the exception of the leaded glass above the door; that Randy Hemann appeared before the Commission to support this request, this request should be granted based on the Secretary of Interior Standards for Rehabilitation, and Chapter 2 – Changes to Buildings – Windows and Doors, pages 20-42; therefore, I further move that a Certificate of Appropriateness for Application H-05-08 be granted to Ted & Sheryl Goins, owners of 101 S. Main St. to make the changes detailed in the application with the following exception: the owner has withdrawn the application for the substitute material of the metal roof for where the mansard roof currently is, and the owner has withdrawn the application to use lead tape on the part of the storefront above the doors."

Kathy Walters seconded the motion. Commission members Susan Hurt, Kathy Walters, Anne Lyles, Andrew Pitner, Anne Waters, Deborah Johnson voted Aye; Jack Errante and Judy Kandl voted NO.

**H-06-08 215 W. Innes St. – Maxwell Chambers Trust %D. B. Jordan, owner
William C. Stanback, applicant**

Request: Installation of a Peace Pole, approximately 6 ft., in the Bell Tower Park.

Betty Hardy, acting as agent and representative from the Covenant Community Connection was sworn to give testimony for the request

She testified that they were requesting permission to install a Peace Pole in the Bell Tower Park for the annual *Let's Get Connected Day* celebration that would be held on May 17th.

The pole, which was presented at the meeting, is Western red cedar, stained with oil finish, naturally weathered, and is to be placed in the ground 12 inches behind an existing granite bench in a mulched area between the bench and the driveway.

Ms. Hardy stated that the words "May Peace Prevail on Earth" is inscribed on the pole in 7 different languages.

In response to a question from Jack Errante, Ms. Hardy stated that the location for the pole was selected by Bill Stanback because he thought that would be a good spot. However, if that location is not appropriate, they would certainly be open to other suggestions.

She further testified in response to a question from Judy Kandl that the pole cemented into the ground.

There was no one present to speak in support or opposition to the request.

Susan Hurt commented that she thinks the Peace Pole would fit under the guidelines used for public art. She said, just as the public art that was recently placed in the park at Fisher & Lee, the Peace Pole has very similar height, and similar scale size.

Andrew Pitner commented that it could also fit under the signage guidelines.

Judy Kandl made the motion as follows: "I move that the Commission find the following facts concerning Application #H-06-08 – that Betty Jo Hardy agent for the Maxwell Chambers Trust, %D. B. Jordan, owner of 215 W. Innes Street, appeared before the Commission and sought a Certificate of Appropriateness to install a 6-ft Peace Pole in the Bell Tower Park; that no one appeared before the Commission to support or oppose this request; this request should be granted based n The Secretary of Interior Standards for Rehabilitation and Chapter 4 Site Features and District Setting – Signs – guideline 2, page 55 of the Non-Residential Historic District Design Guidelines; therefore, I further move that a Certificate of Appropriateness for Application #H-6-08 be granted to Betty Jo Hardy, agent for the Maxwell Chambers Trust, %D. B. Jordan, owner of 215 W. Innes Street."

Susan Hurt seconded the motion; all members present voted AYE.

H-07-08 217 S. Church St. - First United Methodist Church, owner
Request: Additions and renovations to First United Methodist Church.

Dave Collins, applicant and Blake Graham, architect were sworn to give testimony for the request.

Blake Graham testified that the project includes a 13,000 sq. ft. addition and renovation to the existing facility which will house classrooms, choir space, and additional administrative office spaces.

Mr. Graham referred Commission members to the rear elevation plan from which he directed them to the 2-story addition located to the right of the back side of the existing sanctuary. He pointed out the corridor that runs behind the sanctuary (plan A101) which carries the architecture from the front of the building all the way around the building and into the alleyway. In addition to enhancing the entire structure, the corridor will allow them to get rid of some of the less desirable elements, he said..

Mr. Graham informed the Commission that all the details of the building including the brick, wood cornices, slate shingles on the roof, size and scale of the windows would all match the existing in scale, style, color, material and detail.

Wendy Spry informed Commission members of the following approvals granted in the July 13, 2006 Certificate of Appropriateness:

- Construct an addition to an existing facility pending the following: Full review of the architectural construction documents at a later date; City Council approval of the curb cuts for the porte-cochere driveway entrance (approved); removal of parking on Fisher St. (approved); HPC approval of all materials.

Judy Kandl began the questioning by asking Mr. Graham to explain their plans for the chiller and electrical vault. Mr. Graham testified that the electrical vault would be buried, and the chiller would be screened by the building itself. Wendy Spry verified that using the building as screening would be acceptable since the guidelines simply say, "screen from street view."

In reference to questions concerning the materials for the pavement and the sidewalk, Mr. Graham testified that the material is exterior porcelain tile which can be driven over. The material and color was chosen to match the existing corridor on the classroom side of the building.

Judy Kandl questioned the appropriateness of the railings - one located in the very back of the building, one next to the paved area on E. Fisher St., and another coming out of the front door on W. Bank St. She stated that the existing patterns on the building and in the neighborhood are wrought iron railing or aluminum painted railing with pickets, which is a more decorative treatment than what is proposed. She said, in her opinion, it would be fine for the service entrance side but not appropriate for the E. Fisher and the W. Bank St. entrances - the 2 primary parts of the building. She suggested that the more decorative railing be on the outside rather than being attached to the concrete tubes.

Following the explanation from Ms. Kandl, Mr. Collins stated that they would make the suggested changes.

In response to Judy Kandl's questions concerning the aluminum storefronts not matching the existing exterior doors, Mr. Graham explained that the storefront is located at the side entrance with the porte-cochere, and at the entry on the side going into the classroom area. He said the porte-cochere is what is seen from the street, and then inside the porte-cochere is where the aluminum storefronts are found. Also, in the classroom wing, the arched openings are on the outside to match the existing and the aluminum storefront is on the inside. He testified that the doors would be wood and stained, and emphasized the fact that the aluminum doors, a more modern material, would not be seen until after entering the building.

Public Hearing

Barbara Perry, 121 W. Bank St., was sworn to speak.

Mrs. Perry asked if there were plans to either move or screen the dumpster on W. Bank St. She stated that constantly trash from the dumpster is blown into her yard.

Mr. Collins informed Mrs. Perry and the Commission that the dumpster would eventually be moved; however Downtown Salisbury would make the decision as to where it would be moved to. He said, "There are plans for that whole end to be cleaned up."

Randy Hemann asked for clarification on the proposed chiller unit.

Mr. Graham pointed out the exact location for the unit. He said he was not positive, but it would probably be 6-8 ft. tall.

As for the screening, Dave Collins said the existing chiller is considerably larger than the one proposed. He said there was not a plan to screen it at this time other than by the building itself but testified that the church would be willing to do something to screen it.

Wendy Spry informed the Commission that the screening could be approved at a later time through minor works.

There was no one present to speak in favor or opposition of the request.

Deliberation

Judy Kandl noted that the guidelines pertaining to massing, form, and proportion have been met for the addition on the W. Fisher St. elevation and the addition on the front of the existing classroom side.

Referring to the windows, Judy Kandl stated that the pattern of the building is now 2 high over 3 high, which is appropriate. However, the 2 windows located on the elevation at S. Church St. to the immediate right of the porte-cochere on the left side only has a clear sheet of glass rather than panes as all the other transoms have. In her opinion the single pane of glass is not large enough in scale for the space that it is in.

Mr. Graham responded by saying, "Certainly the panes would be no problem to add to that window." However, he continued, the size and the scale of the window was meant to refer back to the arches which are the exact same size. He stated that he did not want the scale to be too big because the interior did not warrant it.

Susan Hurt said that in her opinion the plain glass seems to go with the open archway on the right side of it, and seems to be the right height. She said, "It is not technical but it just looks complimentary."

Commission members Fleming, Johnson, Lyles, and Pitner agreed with Susan Hurt and did not have a problem with the windows.

Referring back to questions concerning the 3 aluminum storefront entrances with stained doors, Dave Collins said if color was the issue they could paint the doors a bronze color or white if that would make a difference.

Anne Lyles stated that it was her opinion that if the determination is made that the storefront systems are accepted then the doors need to be white.

In response to Anne Waters who asked why the doors would not be wood, Mr. Graham said there was a durability issue, and wood is a less durable finish for the exterior doors than the aluminum.

Kathy Walters explained that though the guidelines allow for new materials it needs to be compatible with the existing contemporary building.

Susan Hurt commented that even though it is an oddity to put the aluminum storefront in the 3 openings she is fine with them if they are more compatible with the white painted doors and white trim in appearance.

There being no other comments, Susan Hurt made the following motion: “I move that the Commission find the following facts concerning Application #H-07-08- Blake Graham, applicant for First United Methodist Church, owner of 217 S. Church St. and Dave Collins, Building Committee Chairman, appeared before the Commission and sought a Certificate of Appropriateness to make additions and renovations to the church as detailed in the submitted drawings; that Randy Hemann and Barbara Perry appeared before the Commission to pose questions to the applicant; this request should be granted based on The Secretary of Interior Standards for Rehabilitation and of the Non-Residential Historic District Design Guidelines; therefore, I further move that a Certificate of Appropriateness for Application #H-07-08 be granted to Blake Graham, applicant, for First United Methodist Church, owner of 217 S. Church Street, to make the changes detailed in the application with the following changes agreed to by the applicant – that the stair railings will be of a vertical picket design with hand rails on the inside of them, that the aluminum storefront and wooden doors will be painted to match the other doors and frame around the building and to include dividing panes in the arched portion of the window above the word “south” on the very bottom of drawing A301; doors in the aluminum storefront are to be the same style and painted the same color as the other doors in the building.”

Andrew Pitner seconded the motion; all members present voted AYE.

H-08-08 407 S. Church St. – Louis Friesema, owner

Request: Area to allow the property owner to leave the driveway in a forward motion rather than having to back out into oncoming traffic. This has been necessitated because of increased traffic and the speed at which the traffic is moving.

Louis Friesema was sworn to give testimony for the request.

Staff presented slides as Mr. Friesema informed the Commission that the direction of the traffic on S. Church St. has changed to one-way traffic only preventing him from backing out into the street safely. He said, "I am looking from a place where I can back out and go on my by looking out, not backing."

In response to a question from Kathy Walters, Mr. Friesema said he did not own the vacant lot next to his house.

Judy Kandl stated that the change is partly a result of a temporary condition because of the work that the city is in process of doing on Main Street & Monroe St. having to do with utilities. However, he did not think the completion of the Monroe St. construction would change anything. He said, "The point still remains that I like to drive out of my property." He said he could not even park on the street in front of his property because of a sign that the city has put up.

Mr. Friesema explained to Commission members that because he needed somewhere to go to make a turn when he drives into the front he had begun to make an extension of the driveway, but was told he could not do it. In response to a question from the Chair, he stated that the lot is 64 ft. wide in the front and 96 ft. deep. He said he was hoping to be able to extend 60 sq. ft. but that cannot happen because of the size of his truck. He also stated that there was 10 ft. on the side of the carport that would allow him to drive all the way to the back of the property.

Wendy Spry informed the Commission that because the zoning code does not regulate driveways it can go right up to the property line. She also stated that the new code does not allow a driveway to cover more than 40% of the front yard. However, according to the stakes that Mr. Friesema has put up, about one-half of the front yard was going to be cement.

Susan Hurt said to Mr. Friesema, "I do not think our design guidelines allow us to allow you to pave either the front yard or the side yard for this purpose." She read the driveway and off-street parking guidelines. Kathy Walters agreed stating that she has several neighbors who also have to back out on the street.

Judy Kandl agreed with Susan Hurt. She said, "The only way we can evaluate this is by the guidelines." She explained to Mr. Friesema that his first option would require less paving area but is in the front, while the 2nd option would require a lot more paving because it goes all the way to the back. She suggested the possibility of either the commission or staff making notification to the police department that there may be a speeding problem on his street. She also suggested that Mr. Friesema contact the police department to see if there is any possibility that parking might be allowed on his side of the street.

Other suggestions made included the following: Anne Waters suggested that Mr. Friesema consider adding 4 ft. of cement onto the existing driveway rather than 8 ft.; however, Mr. Friesema said 4 ft. would not be enough. Kathy Walters suggested relocating or eliminating his patio.

There was no one present to speak in support or opposition to the request.

Andrew Pitner agreed that the police department should be contacted on Mr. Friesema's behalf concerning the speed.

Kathy Walters made the following motion: "I move that the Commission find the following facts concerning Application #H-08-08 – that Louis Friesema, owner of 407 S. Church Street, appeared before the Commission and sought a Certificate of Appropriateness to construct a parking/turn-around pad allowing entry to the street in a forward motion, due to increased traffic and speed of motorists; that no one appeared before the Commission to support or oppose this request, this request should not be granted based on The Secretary of Interior Standards for Rehabilitation and Chapter 4 – Site Features & District Setting – Driveways & Off-street Parking, pages 60-61, guidelines 1-9 of the Residential Historic District Design Guidelines; mitigating factor is that this request is not consistent with Design Guideline number 6 & 7 of the Driveway & Off-street Parking guidelines; therefore, I further move that a Certificate of Appropriateness for Application #H-08-08 be denied to Louis Friesema, owner of 407 S. Church Street, to make the changes detailed in the application."

Susan Hurt seconded the motion; all members present voted AYE.

H-09-08 Behind Empire Hotel - Downtown Salisbury, Inc., owner
Dave Collins, applicant

Request: Re-grade parking area behind fellowship hall of First United Methodist Church.

Dave Collins and Randy Hemann came forward to give testimony for the request.

Dave Collins testified that the church is requesting the removal of an existing wall in order to regrade 3 ft. of a parking located behind the church's fellowship hall.

Randy Hemann testified that they would eventually seek approval for a parking lot but they are not ready at this time. He further testified that the dumpster would be relocated and screened.

There was no one present to speak in support or opposition to the request.

Susan Hurt made the following motion. "I move that the Commission find the following facts concerning Application #H-09-08 – that Dave Collins, applicant for Downtown Salisbury, Inc., owner of the Empire Hotel, appeared before the Commission and sought a Certificate of Appropriateness to remove a retaining and regrade the parking area behind the fellowship hall of First United Methodist Church; that Randy Hemann appeared before the Commission to support or oppose this request, this request should be granted based on The Secretary of Interior Standards for Rehabilitation, and Chapter 4 - Site Features and District Setting – Parking & Paving, pages 57-58, guidelines 1-6 of the Non-Residential Historic District Design Guidelines; therefore I further move that a Certificate of Appropriateness be granted to Dave Collins,

applicant for Downtown Salisbury, Inc. , owner of the Empire Hotel to make the changes detailed in the application.”

Kathy Walters seconded the motion; all members present voted AYE.

H-10-08 308 W. Fisher St. – First Presbyterian Church, owner;

E. William Wagoner, applicant

Request: Replace aluminum picket fence along W. Fisher St. & N. Fulton St. sides of existing playground with identical aluminum picket fence with pickets closer together to meet NC code for day schools. Remove interior wood fence and install new code compliant aluminum fence of same design as exterior street-side fence.

Bill Wagoner was sworn to give testimony for the request. Staff presented slides

Mr. Wagoner began by informing the Commission that the existing playground was moved to its present location when the Family Life Center was constructed. He stated that because of the church’s state certified day school, the existing fences need to meet state code for playground fencing. He testified that the existing picket fence along W. Fisher & N. Fulton St. do not meet that code because the spacing of the pickets is too wide. Also, the spacing between the bottom rail of the fence and the ground allow a gap.

He continued by explaining to the Commission that the current aluminum picket fence system needs to be removed and replaced with an identical detailed picket fence system with spacing that would meet the state’s code. Also, the gaps at the bottom would be closed by bringing the bottom rail to the ground and the horizontal dimension between pickets will go down to the 3 ½” clearance that is required by the state code.

In addition, the same new fencing will be installed on the 2 internal sides of the lot, even though it does not have a state code requirement. Rather than the brick pilasters, every 3rd panel would be an intermediate post set into a concrete base. He further stated that 2 old sections of White picket fence that is internal and not visible will be removed. The aluminum fence located between the brick pilasters that doesn’t meet the code will be cut up and rebuilt into internal fencing to separate the playground into sections.

In response to a question from Susan Hurt, Mr. Wagoner testified that new aluminum picket gates will be located in the same places as they are now located. The gate design will basically be exactly the same as the railing.

There were no questions from the Commission and no one present to speak in support or opposition to the request.

Andre Pitner made the motion as follows: “I move that the Commission find the following facts concerning Application #H-10-08 – that E. William Wagoner, applicant for First Presbyterian Church, owner of 308 W. Fisher Street, appeared before the Commission and sought a Certificate of Appropriateness to replace the existing picket fence along Fisher Street and North Fulton Street side of the existing playground with an identical fence with closer pickets to meet the North Carolina code for day school; also, remove the interior wood fence and install a new

code-compliant aluminum of same design as the street-side fence; that no one appeared before the Commission to support or oppose this request, this request should be granted based on The Secretary of Interior Standards for Rehabilitation and Chapter 4 – Site Features & District Setting – Landscaping & Streetscaping, pages 59-60, guideline 12 of the Non-Residential Historic District Design Guidelines; there were no mitigating factors; therefore, I further move that a Certificate of Appropriateness for Application #H-10-08 be granted to E. William Wagoner, applicant for First Presbyterian Church, owner of 308 W. Fisher Street, to make the changes detailed in the application.”

Jack Errante seconded the motion; all members present voted AYE.

Committee Report

Minor Works - There were no questions of the minor work approvals submitted.

Other Business

Preservation Month – May 2008

Janet Gapen reminded Commission members that the Preservation Month observance is Friday, May 9th at the downtown Friday Night Out. The booth will be manned from 5-8 p.m.

Mike Fuller will donate 100 ice-cream single servings. She said since there are some funds available in the budget for historic preservation she will probably order more.

Judy Kandl has completed the drawings for the coloring contest.

The committee will meet again only if necessary.

Minutes

The minutes for March were approved as presented upon a motion by Jack Errante, seconded by Judy Kandl, and all members present voted AYE.

Adjournment

There being no other business to come before the Commission, the meeting was adjourned at 8:55 p.m.

Anne Lyles, Chairperson

Judy Jordan, Secretary

